

CIVIL MINUTES
UNITED STATES DISTRICT COURT OF ARIZONA – PHOENIX

United States District Judge David G. Campbell

Date: May 31, 2018

AMENDED IN RE: Bard IVC Filters Products
Liability Litigation

Case Number: MD-15-02641-PHX-DGC

**Mark O'Connor, Paul Stoller,
Shannon Clark, Julia Reed-Zaic,
Ramon Lopez - for plaintiff**

**Richard North, James Rogers,
Matthew Lerner, Elizabeth Helm
for defendant**

**Court Reporter – Patricia Lyons
Courtroom Deputy – Traci
Abraham**

APPEARANCES:

PROCEEDINGS ☒ **Open Court** ☐ **Chambers** ☐ **Other:**

Hearing held re: 3rd Bellwether Jury Trial September 2018. Dates for trial: September 18-21, September 25-28 and October 2 -5.

Parties have agreed that plaintiff Debra Mulkey will be the 3rd Bellwether trial. Parties disagree on the 4th and 5th Bellwether trials as to plaintiffs Lisa Hyde and Carol Kruse.

Plaintiff request additional time be allotted for the next Bellwether trial. Court takes matter under advisement and will consider adding September 24th and October 1st to the designated trial days.

Jury questionnaires discussed. Parties to jointly submit changes by 7/5/2018. 200 jury questionnaires to be mailed out by 7/13/2018. Jury questionnaire returns by 8/10/2018. Counsel to pick up questionnaires by 8/17/2018. Court will issue order dismissing jurors for hardship by 8/24/2018. Court will adopt the same process as in the Jones case addressing challenges for cause at the final pretrial conference.

A final pretrial conference will be set for 8/30/2018 at 10:00 a.m. Motions in limine due 7/27/2018. Responses 8/10/2018. Final pretrial order due 8/17/2018. Deposition designations by 8/15/2018.

Parties to submit 6 page memorandum on the following issues: (1) Dr. Kandarpa being called as a witness;(2) FDA evidence under Kentucky law;(3) Positions of parties on choosing the plaintiffs for the 4th,5th and 6th Bellwether trials;(4) Cases involving the Simon Nitinol Filter.

Plaintiff memo due by 6/15/2018. Defendant response due by 6/29/2018.

Settlement talks discussed. Court will issue an order.